

## USA Hockey Transgender Athlete Eligibility Policy

### Guiding Principles

USA Hockey supports diversity and inclusion in all aspects of hockey. The purpose of this policy is to provide transgender hockey athletes an avenue to participate in recreational and competitive ice hockey in an inclusive sporting environment where people of all backgrounds can contribute and play ice hockey, and to do so in a fair and safe manner. USA Hockey's goal is to allow all athletes access to ice hockey in a healthy and respectful environment.

This policy is based on USA Hockey's belief that recreational ice hockey should incorporate an inclusive policy that focuses on allowing athletes to participate on a team that is consistent with their gender identity. Application of the policy to competitive ice hockey includes requirements to help maintain a fair and safe environment.

### Terminology

Transgender describes an individual whose gender identity does not match the person's biological sex. Transgender is not related to sexual orientation; a transgender person may identify as straight, gay, bisexual, or any other sexual orientation.

Gender identity refers to one's internal psychological identification as a male or female, both, neither, or anywhere along the gender spectrum. As referred to below, a transgender female (MTF) refers to a transgender person who was assigned male at birth but who identifies as female, and a transgender male (FTM) refers to a transgender person who was assigned female at birth but who identifies as male.

Gender transition refers to the process of developing and assuming a gender expression to match one's gender identity, and may include changing one's name, taking hormones, having surgery, or changing legal documents to reflect their new gender.

### Policy

This policy will respect the privacy of transgender individuals and is intended to remain consistent with applicable federal and state laws. This policy may be modified by USA Hockey from time to time as we continue to gain experience from the application of this policy to the sport of ice hockey, and updated medical and expert information.

#### 1. Applicability of this Policy

This policy is applicable in all USA Hockey sanctioned programs to transgender individuals who desire to play ice hockey at the recreational level and/or compete in USA Hockey sanctioned events. Eligibility for USA Hockey teams, and camps or tryouts for selecting players to participate at the international level, is governed by the applicable policies and criteria required by governing bodies for international hockey: the International Olympic Committee (IOC), the U.S. Olympic Committee (USOC) and the International Ice Hockey Federation (IIHF). Player eligibility for transgender players participating in the American Collegiate Hockey Association (ACHA) are governed by the applicable policies adopted by the National Collegiate Athletic Association (NCAA). Additionally, high school programs sanctioned by USA Hockey may also be required to follow applicable state, district or school policies for transgender athlete eligibility and/or locker room usage, and high school programs shall be permitted to follow such state, district or school policies to the extent they conflict with this policy.

## 2. Eligibility

### A. Hockey Programs Not Restricted by Gender.

The vast majority of USA Hockey's programs, regardless of whether considered competitive or recreational, are co-ed and not restricted by gender, and therefore all hockey players are eligible to participate regardless of birth gender, gender identity, transgender status and other forms of gender expression. Programs available to players of all genders are:

- Youth hockey at all age levels and team classifications;
- High School and Prep School hockey;
- Junior hockey; and
- Adult co-ed hockey.

### B. Hockey Programs Restricted by Gender.

Because Girls hockey (restricted to females under the age of 19 as determined by the USA Hockey age classification) is restricted to female athletes only, and certain adult hockey programs are restricted to either male or female players only, USA Hockey must provide guidelines for eligibility for transgender hockey players in these hockey programs.

1. *Girls Recreational Hockey.* USA Hockey considers (i) all Girls hockey in the 12U age classification and below, (ii) all Girls hockey in the 14U to 19U age classification except for Girls 14U to 19U Tier I and Tier II teams, and (iii) all Girls High School and Prep School hockey, to be Recreational Hockey.

A transgender female (MTF athlete) shall be eligible to participate in all classifications of Girls Recreational Hockey by providing the following documents satisfactory to USA Hockey: (i) a letter from the athlete if an adult, or if a minor from the athlete's parent/guardian (which may also include the athlete's personal statement), confirming the athlete's gender identity; and (ii) written confirmation of gender identity from a health care provider, counselor, or other qualified professional not related to the athlete.

2. *Girls Competitive Hockey.* USA Hockey considers only Girls 14U to 19U teams that are registered as Tier I or and Tier II teams to be at a level where additional competitive concerns should be considered in evaluating eligibility.

A transgender female (MTF athlete) shall be eligible to participate on a Girls Competitive Hockey team upon providing the same documents as are required for Girls Recreational Hockey teams; additionally, a MTF athlete desiring to play Girls Competitive Hockey must also provide confirmation by a medical professional that the athlete has undergone at least one year of testosterone suppression therapy.

A transgender male (FTM athlete) may continue to play Girls Recreational Hockey or Girls Competitive Hockey so long as the athlete has not begun testosterone hormone therapy related to gender transition. A FTM athlete that has begun testosterone hormone therapy related to gender transition shall be considered a male athlete and eligible only for the hockey classifications not restricted by gender (see above).

3. *Non-binary athletes:* Because of the gender binary of male and female categories represented in hockey, athletes who have a gender identity outside of male or female who wish to participate in hockey may do so in one of the following ways:

- (a) Participation in one of the categories of play not restricted by genders, which includes:
  - Youth hockey at all age levels and team classifications;
  - High School and Prep School hockey;
  - Junior hockey; and
  - Adult co-ed hockey.

- (b) Participation in the category of their sex assigned at birth
- (c) Participation in a category that does not match their sex assigned at birth, following the guidelines for transgender athletes as they pertain to leagues restricted by gender and the requirements set forth for participation.

4. *Adult Hockey Restricted to Men Only or Women Only.* For Adult hockey leagues or teams that are restricted by gender to either Men only or Women only, a transgender athlete shall be permitted to participate according to the gender with which the athlete identifies, based on the gender shown in their USA Hockey Registration. USA Hockey, an Affiliate and/or a governing league or team may request that a transgender athlete's eligibility be reviewed by the Committee described in Section 3 below.
5. *Timing:* An athlete who has changed gender identity with respect to eligibility for hockey programs, shall not be eligible to change his/her gender identity again with respect to eligibility for hockey programs for three (3) years from the immediately preceding change.
6. *Eligibility Questions Not Addressed Above.* In the event of any eligibility question with respect to a transgender athlete not addressed herein, such question shall be referred to the Transgender Eligibility Committee described below.
7. *Member Services Records.* A change in a player's gender identity that has been approved by USA Hockey shall be reflected in USA Hockey's records by changing the player's gender in the player's USA Hockey registration records maintained by USA Hockey's Member Services Department.

### **3. Application and Review Process**

- A. For an athlete to participate in Girls hockey or in Adult hockey restricted to men only or women only, in a category other than that of their sex assigned at birth, USA Hockey must receive the documentation required above.
- B. Document submissions will be made to USA Hockey, Inc., Walter L. Bush, Jr. Center, 1775 Bob Johnson Drive, Colorado Springs, CO 80906-4090, Attn.: Member Services Director. The submissions will be reviewed, and eligibility determinations made, by USA Hockey's Transgender Eligibility Committee (the "Committee"). The Committee will be comprised of (i) a representative from the Youth Council or the Adult Council (depending on the athlete's age at time of request); (ii) the Affiliate President responsible for the athlete's home location; (iii) the Member Services Director; and (iv) USA Hockey's General Counsel. In all cases, privacy and confidentiality will be respected.
- C. For Competitive Girls hockey only, the Committee may request information relevant to its evaluation of the athlete's request, including, but not limited to:
  - An interview with the athlete and/or the athlete's parent/guardian;
  - Confirmation of gender identity from a medical professional (part of the initial application);
  - Relevant medical records related to testosterone or testosterone suppression therapy, if necessary and applicable;
  - Relevant legal records if available; and
  - An interview with any USA Hockey member in support of the application, *e.g.*, a coach.

The Committee will also review and consider relevant state law that might apply to an athlete's participation. Utilizing these criteria and after a review of applicable state laws, the Committee will render a decision regarding the athlete's eligibility to participate.

- D. In the event an athlete is granted the right to participate in USA Hockey sanctioned competition, whether for a designated period of time or for as long as they remain active in the sport, that athlete must represent only their affirmed gender. In no case will an athlete be permitted to compete in their previously identified (*e.g.*, birth) gender in a classification of hockey restricted by gender without the permission of the Committee.
- E. In the event the Committee initially concludes not to approve an athlete's request, the Committee shall notify the athlete of the specific reasons and shall offer the athlete the right to a hearing to contest the Administrative Action under the provisions of USA Hockey Bylaw 10. If, after a hearing, the athlete's request is denied by the Committee, the athlete has the right to appeal that decision pursuant to USA Hockey Bylaw 10.
- F. Athletes must comply with all aspects of the eligibility determination process, or the athlete will not be permitted to participate in USA Hockey sanctioned activities.
- G. In some cases an adult athlete, or minor athlete's parents, may request that an athlete's name be changed in the USA Hockey registration records without changing the athlete's gender in the registration records. USA Hockey may make the requested change, which change shall not affect the athlete's eligibility in any classification restricted by gender.

#### **4. Locker Rooms**

To best promote inclusion on a hockey team and to respect the privacy of all players on the team, USA Hockey strongly recommends that any team with a transgender player apply a locker room policy requiring all players to wear certain "minimum attire" at all times in the locker room as set forth in USA Hockey's Co-Ed Locker Room Policies. This means that the players should arrive at the rink wearing their base layer (*e.g.*, shorts and t-shirt, compression shorts and shirt or sports bra) and then all players can dress in the same locker room without any player seeing another player in a state of undress. A player not wearing their "base layer" can use a restroom to change into the base layer and then enter the locker room with the other players. Use of showers (especially when showers are not separate from the locker room) shall be permitted in a manner respecting all players' privacy.

In some cases, state or local law could apply to restroom or locker room usage, and programs should consult and apply applicable law.

#### **5. Other Recommendations and Guidelines for Inclusion of Transgender Athletes**

USA Hockey encourages hockey organizations to promote inclusion in their activities whenever possible, and as appropriate. Below are suggestions for coaches, athletes and officials to assist in their interaction with transgender athletes.

- Value diversity.
- Educate yourself and your staff about transgender identity.
- Be prepared to discuss transgender participation with the participants of your program, particularly with parents of youth players.
- Respect the transgender player's identity, and use preferred names and pronouns.
- Anticipate and address any transgender access issues, including making locker rooms and bathrooms safely available in accordance with applicable laws.
- Respect the player's right to privacy and do not disclose any personal information (including whether a player is transgender).
- Address discriminatory behavior, based on any perceived or actual gender identity or gender expression of a player.